

**PUBLIC NOTICE
OF INTENT TO PROPOSE OR PROMULGATE
NEW OR CHANGED AGENCY RULES**

The following agencies of the state of Idaho have published the complete text and all related, pertinent information concerning their intent to change or make the following rules in the new issue of the state Administrative Bulletin.

**IDAPA 02 - DEPARTMENT OF AGRICULTURE
P.O. Box 790, Boise, Idaho 83701-0790**

Docket No. **02-0403-9604**, Animal Industry. Provides authority to require Equine Infectious Anemia (EIA) testing of Equidae imported into Idaho, test EIA exposed equidae and identify EIA positive equidae; to issue and accept extended validity equine certificates for interstate movement of equidae; and makes corrections, Comment By: September 25, 1996.

Docket No. **02-0636-9601**, Karnal Bunt Disease of Wheat, Rye, and Triticale. Restricts shipment of regulated articles from regulated areas into Idaho and provides for exemptions; provides provisions for the disposition of fields planted with contaminated seeds and penalty for violations, Comment By: September 25, 1996.

**IDAPA 05 - DEPARTMENT OF JUVENILE CORRECTIONS
PO Box 83720, Boise, Idaho 83720-0285**

Docket No. **05-0101-9601**, Rules of the Department of Juvenile Corrections. New rules provide general framework for conducting Department business and provide guidelines and standards for facilities, Comment By: September 25, 1996.

**IDAPA 07- DIVISION OF BUILDING SAFETY
P.O. Box 83720, Boise, ID 83720-0048**

Docket No. **07-0103-9601**, Electrical Licensing and Registration. Allows signing journeymen to sign for their own company and for an industrial account, Comment By: September 25, 1996.

Docket No. **07-0206-9601**, Uniform Plumbing Code. Changes allow the use of PEX, PEX/AL/PEX, PE/AL/PE, and CPVC to be used in the hot and cold water distribution system within a building and in the cold water distribution system outside of buildings. Comment By: September 26, 1996.

**IDAPA 09 - IDAHO DEPARTMENT OF LABOR
277 N. 6th, Suite 100, Boise, ID 83720-4801**

Docket No. **09-0130-9601**, Benefit Programs Bureau. Allows benefits to claimants who quit temporary or part-time jobs who meet certain criteria; provides that all claimants must meet the same standard of remaining within their local labor market area during the work week in order to be considered available for work, unless they meet exemption requirements, Comment By: September 25, 1996.

Docket No. **09-0135-9601**, Employer Accounts Bureau. Numerous changes on how interest payments, assessments, and penalties are made and paid; provides for new system for payments on delinquent accounts; clarifies wage exclusions and exemptions; allows an employer to dispute both services and remuneration as constituting covered employment or wages; specifies necessary records or data needed to show amount of liability and to determine an employer's status as a covered employer; allows employers to file quarterly reports in any medium or manner allowed; interstate investigations of indebtedness of employer must be for \$500 or more; provides for periodic refunds on overpayments; changes employer overpayments of contributions offset; corrects typographical errors and changes words and definitions; others, Comment By: September 25, 1996.

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

P.O. Box 83720, Boise, Idaho 83720-0036

Docket No. **16-0105-9601**, Hazardous Waste. Changes comply with annual EPA federal regulation updates to make Idaho's rules consistent with federal hazardous waste regulations revised as of July 1, 1996, Comment By: September 25, 1996.

Docket No. **16-0208-9601**, Vital Statistics. Proposes increases in charges for certified copies of certificates and in search fees from \$8 to \$10; legal amendments will remain at \$10 per action, however, a certified copy reflecting the change will cost an additional \$10; imposes a \$5 charge to faxed credit card requests for certified copies of certificates; and discontinues the provision of an heirloom birth certificate, Comment By: September 25.

IDAPA 17 - IDAHO INDUSTRIAL COMMISSION

P. O. Box 83720, Boise, Idaho 83720-0041

Docket No. **17-0406-9601**, Boiler and Pressure Vessel Safety Code 6. Chapter is repealed, Comment By: September 25, 1996.

Docket No. **17-0601-9601**, Boiler and Pressure Vessel Safety Rules - General Requirements. Updates the state's minimum safety standards dealing with legal authority, written interpretation, administrative appeals, and abbreviations to nationally recognized safety standards, Comment By: September 25, 1996.

Docket No. **17-0602-9601**, Boiler and Pressure Vessel Safety Rules - Administration. Updates the state's minimum safety standards dealing with construction, notification, inspection, exemptions, and certification and to nationally recognized safety standards, Comment By: September 25, 1996.

Docket No. **17-0603-9601**, Boiler and Pressure Vessel Safety Rules - Inspections. Updates the state's minimum safety standards dealing with inspection requirements and to nationally recognized safety standards, Comment By: September 25, 1996.

Docket No. **17-0604-9601**, Boiler and Pressure Vessel Safety Rules - Repairs and Alterations. Updates the state's minimum safety standards dealing with repair and alteration requirements and to nationally recognized safety standards, Comment By: September 25, 1996.

Docket No. **17-0605-9601**, Boiler and Pressure Vessel Safety Rules - Boiler Attendants. Updates the state's minimum safety standards dealing with requirements and qualifications for boiler attendants and to nationally recognized safety standards, Comment By: September 25, 1996.

IDAPA 20- DEPARTMENT OF LANDS

PO Box 83720, Boise, Idaho 83720-0050

Docket No. **20-0317-9601**, Rules Governing Leases on State-owned Submerged Lands and Formerly Submerged Lands. Issuance of a lease, applicable to all existing and proposed submerged lands uses and encroachments unless exempt as specified, shall be contingent upon the applicant obtaining a stream channel alteration permit or an encroachment permit if required by State law and compliance with local planning and zoning regulations if applicable; lease application fees and rental rates shall be determined by the State Board of Land Commissioners; and renewable leases shall be issued for a term not to exceed ten (10) years, Comment By: September 25, 1996.

Docket No. **20-0602-9601**, General Rules, Licensing, and Check Scales of the Idaho Board of Scaling Practices. Rule will specifically list directly affected persons and allow them to receive a copy of check scale reports, Comment By: September 25, 1996.

Docket No. **20-0603-9602**, Rules for Scaling Specifications and Check Scaling Standards. Changes log length measurement determination from current trim allowance of six inches (6") maximum trim per log segment to a mandatory three inches (3") minimum, Comment By: September 25, 1996.

Docket No. **20-0604-9601**, Rules of Forest Products Measurement for the Purpose of Payment for Logging or Hauling Logged Forest Products Only. Changes log length measurement determination from current trim allowance of six inches (6") maximum trim per log segment to a mandatory three inches (3") minimum, Comment By: September 25, 1996.

IDAPA 24 - BUREAU OF OCCUPATIONAL LICENSES
1109 Main Street, Suite 220, Boise, Idaho 83702

Docket No. **24-0301-9601**, Board of Chiropractic Physicians. Changes remove "grace" period from the rules; establish reinstatement requirements; and provide for cancellation date if license fee is not paid, Comment By: September 25, 1996.

Docket No. **24-0401-9601**, Rules of the Board of Cosmetology, Chapter is repealed, Comment By: September 25, 1996.

Docket No. **24-0401-9602**, Rules of the Board of Cosmetology, Rewrite of chapter adds definitions of record of instruction, certificate of graduation, hospital grade sanitation, and first aid kit; clarifies circumstances for issuing a work permit; updates board acceptance of an equivalent tenth grade education; explains the meaning of the word "overlap" in a contiguous establishment; deletes minimum number of daily attendance hours required; provides for annual publication of the dates and places of the examination, Comment By: September 25, 1996.

Docket No. **24-0501-9601**, Board of Environmental Health Specialist Examiners. Changes written examination entity to the National Environmental Health Association; testing entity shall establish passing score; examination/reexamination fee will equal that charged by the national examining entity plus a \$25 administrative fee; and increases the annual renewal fee to \$60, Comment By: September 25, 1996.

Docket No. **24-1001-9601**, Board of Optometry. Defines "low vision" as within the definition of "correcting defects" and defines those individuals providing vision therapy as engaging in the practice of optometry; reorganizes the districts for nominations of board members; clarifies and adds definitions; and deletes obsolete language, Comment By: September 25, 1996.

Docket No. **24-1101-9601**, Board of Podiatry. Removes reference regarding requirements for podiatric residency; updates language on certified copy of national board results and photograph requirement; increases application and licensure without written examination fee to \$550; specifies who shall conduct examination of applicants and when; examination dates will be the written national examination dates; establishes when the original application is null and void if no license has been issued, Comment By: September 25, 1996.

Docket No. **24-1801-9601**, Rules Governing the Real Estate Appraiser Board. Clarifies that only the preceding five (5) years work experience will be eligible for evaluation by the Board, Comment By: September 25, 1996.

IDAPA 35 - STATE TAX COMMISSION - P.O. Box 36, Boise, ID 83722

Docket No. **35-0102-9601**, Sales and Use Tax Rules. Changes remove unnecessary rules and conform to legislative changes; allow Tax Commission to enter into agreements with INEL contractors whereby the contractor could accrue use tax; extends the exemption for sales between related parties to leases and rentals of capital assets; direct pay authorization holders are required to pay the sales tax on purchases even if use tax is not due; and creates the Idaho Tax Commission Administration and Enforcement Rules, Comment By: September 26, 1996.

Docket No. **35-0103-9608**, Ad Valorem Property Tax. Deletes obsolete language; establishes a report to show new construction value by taxing district; clarifies and defines value increases resulting from change in land use, Comment By: September 26, 1996.

Docket No. **35-0105-9604**, Motor Fuels Tax. Corrects of a cite to an income tax rule; and reflects the creation of the Idaho Tax Commission Administration and Enforcement Rules., Comment By: September 26, 1996.

Docket No. **35-0107-9601**, Kilowatt Hour Tax Rules. Chapter is repealed, Comment By: September 26, 1996.

Docket No. **35-0107-9602**, Kilowatt Hour Tax Rules. Rewrite of chapter restates and clarifies existing policies relating to Idaho kilowatt hour taxes, Comment By: September 26, 1996.

Docket No. **35-0108-9601**, Mine License Tax. Chapter is repealed, Comment By: September 26, 1996.

Docket No. **35-0108-9602**, Mine License Tax. Rewrite of chapter restates and clarifies existing policies relating to Idaho Mine License Taxes and reflects 1996 legislative changes, Comment By: September 26, 1996.

**IDAPA 46 - STATE BOARD OF VETERINARY MEDICINE
P. O. Box 7249, Boise, Idaho 83707**

Docket No. **46-0101-9601**, Rules of the Board of Veterinary Medicine. Allows therapeutic options or alternate therapies to be performed by qualified lay individuals under the indirect supervision of a veterinarian, but only after an examination of the animal and referral by a veterinarian; and to allow access to restraint drugs by law enforcement agencies and personnel who are licensed as certified euthanasia agencies, Comment By: September 25, 1996.

**IDAPA 52 - IDAHO STATE LOTTERY COMMISSION
1199 Shoreline Lane, Ste. 100, Boise, ID 83702**

Docket No. **52-0102-9601**, Gaming Rules of the Idaho Lottery Commission. Provides a comprehensive regulatory scheme and requirements of and proscriptions for the legal operation of bingo and raffles by non-profit and charitable organizations; and addresses licensing of bingo and raffle operations and of vendors who provide gaming devices, equipment or material for bingo and raffle operations, Comment By: September 25, 1996.

PUBLIC HEARING - Public Hearings Will Be Held for the Following Dockets:

DEPARTMENT OF LANDS:

Docket No. **20-0317-9601** - Rules Governing Leases on State-owned Submerged Lands
and Formerly Submerged Lands

Docket No. **20-0602-9601** - General Rules, Licensing, and CheckScales of the Idaho Board of
Scaling Practices

Docket No. **20-0603-9602** - Rules for Scaling Specifications and Check Scaling Standards

Docket No. **20-0604-9601** - Rules of Forest Products Measurement for the Purpose of
Payment for Logging or Hauling Logged Forest Products Only

IDAHO STATE LOTTERY COMMISSION:

Docket No. **52-0102-9601** - Gaming Rules of the Idaho Lottery Commission

PUBLIC HEARINGS Have Been Cancelled for the Following Docket:

Docket No. **16-0322-9603** - Rules for Residential Care Facilities in Idaho

Please refer to the Idaho Administrative Bulletin, **September 4, 1996, Volume 96-9** for notices and text of all temporary, final, and negotiated rule-makings, corrections, public hearing schedules, and other notices.

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